

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

STANLEY FRANCIS STEVENS,

Plaintiff,

v.

UNITED STATES OF AMERICA,

Defendant.

No. 2:CV-13-5025-EFS

ORDER DISMISSING FIRST COUNT

On April 16, 2015, the parties filed a stipulated dismissal of count 1 (negligence in the treatment of Plaintiff's left big toe resulting in amputation of that toe). ECF No. 43. Consistent with the parties' agreement and Federal Rule of Civil Procedure 41(a), **IT IS HEREBY ORDERED:** the parties' Stipulation to Dismiss First Count, **ECF No. 43**, is **GRANTED**. Count 1 is **DISMISSED WITH PREJUDICE**, with all parties to bear their own costs and attorneys' fees with regard to Count 1.

IT IS SO ORDERED. The Clerk's Office is directed to enter this Order and provide copies to all counsel.

DATED this 21st day of April 2015.

s/Edward F. Shea

EDWARD F. SHEA

Senior United States District Judge